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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHYLLIS ANDREWS, THOMAS E.
MINOGUE, HERMAN H. TARNOW
and JANE F. SIMS,

Plaintiffs,

V.

ARTHUR B. MODELL,

Defendant.

[illegible]

07 Civ. 3368 (SCR)

Judge Stephen C. Robinson

**NOTICE OF PLAINTIFFS' MOTION TO REMAND THIS CASE TO THE
SUPREME COURT OF THE STATE OF NEW YORK, WESTCHESTER COUNTY**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law and exhibits thereto, and upon all prior pleadings and proceedings herein, Plaintiffs Phyllis Andrews, Thomas E. Minogue, Herman H. Tarnow and Jane F. Sims, by and through their undersigned counsel, respectfully move this Court, before the Honorable Stephen C. Robinson, United States Judge, at the United States District Court, Southern District of New York, 300 Quarropas Street, White Plains, New York, on such day and at such time designated by the Court, for an order (a)

remanding this action to the Supreme Court of the State of New York, Westchester County, from which it was removed; and (b) granting such other relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that unless it is otherwise agreed to by the parties or ordered by the Court, papers in opposition to this motion shall be served on or before July 24, 2007.

Dated: Armonk, New York
July 3, 2007

Respectfully submitted,

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Christopher M. Green

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